

UNITED STATES DISTRICT COURT
for the
Eastern District of Wisconsin

United States of America
v.

Jaivon A. BURNETT
(xx/xx/1999)

Case No.
21-876M(NJ)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 06/19/20 to 06/07/21 in the county of Milwaukee in the
Eastern District of Wisconsin, the defendant(s) violated:

Code Section

21 U.S.C. §§ 841(a)(1),
841(b)(1)(C), 860(a)

18 U.S.C. § 924(c)(1)

Offense Description

Possession with intent to distribute and distribution of controlled substances within 1,000 feet of the real property comprising a housing facility owned by a public housing authority.

Carrying a firearm during and in relation to a drug trafficking crime.

This criminal complaint is based on these facts:

Please see attached affidavit.

☒ Continued on the attached sheet.

COLEMAN WILLIAMS Digitally signed by COLEMAN WILLIAMS
Date: 2021.06.08 11:55:05 -05'00'

Complainant's signature

Special Agent Coleman Williams, DEA

Printed name and title

Sworn to before me and signed in my presence.

Date: 06/08/2021

City and state: Milwaukee, Wisconsin



Judge's signature

Honorable Nancy Joseph, Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF A
CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Coleman Williams, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Drug Enforcement Administration (“DEA”). I have been so employed since June 2020. Prior to my employment with DEA, I was employed as a Special Agent with the United States Secret Service for approximately 2 years and ten months.

2. As part of my duties as a DEA Special Agent, I investigate criminal violations relating to narcotics trafficking and money laundering offenses, including criminal violations of the Federal Controlled Substance laws, including, but not limited to Title 18, United States Code, Sections 1956, and 1957, and Title 21, United States Code, Sections 841, 843, 846, 848, 952 and 963. I have been involved in electronic surveillance methods, the debriefing of defendants, informants, and witnesses, as well as others who have knowledge of the distribution, transportation, storage, and importation of controlled substances.

3. I have received training in the area of narcotics investigations, money laundering, financial investigations, and various methods which drug dealers use in an effort to conceal and launder the proceeds of their illicit drug trafficking enterprises. I have participated in investigations involving violations of narcotics laws.

4. This affidavit is based upon my personal knowledge and upon information reported to me by other federal and local law enforcement officers during the course of their official duties, all of whom I believe to be truthful and reliable. Throughout this affidavit, reference will be made to case agents. Case agents are those federal, state, and local law enforcement officers who have directly participated in this investigation, and with whom your affiant has had regular contact regarding this investigation.

5. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code, in that I am empowered by law to conduct investigations of and to make arrests for federal felony offenses.

6. Because this affidavit is submitted for the limited purpose of securing a complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only facts that I believe are sufficient to establish probable cause.

7. I am submitting this affidavit in support of a Federal Criminal Complaint for Jaivon BURNETT (DOB: XX/XX/1999), in the State and Eastern District of Wisconsin. As will be shown below, there is probable cause to believe BURNETT committed the crimes of possession with intent to distribute and distribution of controlled substances with 1,000 feet of the real property comprising a housing facility owned by a public housing authority, in violation of Title 21, United States Code, Sections 841 (a)(1), 841(b)(1)(C), and 860; and carrying a firearm during and relation to a drug trafficking crime, in violation of Title 18, United States Code, Section 924(c)(1).

PROBABLE CAUSE

8. Beginning in June 2020, DEA and DCI investigators utilized a confidential source (hereinafter referred to as "CS") who had information on a subject that distributed heroin in the Milwaukee area. The subject was identified as Jaivon BURNETT. Over the next several months, the CS (under the direction of law enforcement) negotiated with BURNETT for purchases of heroin.

9. I and other law enforcement officers believe CS to be reliable because he/she has provided intelligence concerning drug trafficking activities for BURNETT amongst other targets of investigation that have been independently corroborated through monitored telephone calls, law enforcement surveillance, and controlled drug purchases from BURNETT and other targets. The

CS has also made statements against his/her own penal interests. The CS has two felony convictions in Milwaukee County Circuit Court - Manufacture/Delivery of cocaine (>5-15 grams) and Maintain Drug Trafficking Place. The CS is working with law enforcement for monetary compensation.

10. On June 19, 2020, the CS met with investigators. The CS negotiated on the purchase of \$350 worth of heroin with BURNETT. The CS was searched resulting in negative results of contraband. Later, a white colored four-door Kia Optima bearing WI license plate AGP3132 arrived and the CS got into the rear seat behind the driver. NOTE: A DMV query revealed the license plate to be registered to Jaivon A. BURNETT. The meeting occurred in the alleyway running east/west between N. 32nd Street and N. 31st Street, just to the north of W. Mount Vernon Street in Milwaukee, WI. Moments later, the CS exited and met with law enforcement. The CS advised that he/she purchased approximately 3 grams of suspected heroin for \$350. The CS was searched again resulting in negative results of contraband. The CS relinquished the drugs to law enforcement. The suspected heroin was described as a white powdery substance located in a white paper napkin. Tests conducted by the Wisconsin State Crime Lab revealed the suspected heroin was actually fentanyl.

11. On June 24, 2020, the CS met with investigators. The CS negotiated on the purchase of 7 grams of heroin for \$580 with BURNETT. The CS was searched resulting in negative results of contraband. Later, a black colored four door sedan arrived and the CS got into the passenger seat. The meeting occurred in the alleyway just to the east of 222 N. 32nd Street in Milwaukee, WI. Minutes later, the CS exited and met with law enforcement. The CS advised that he/she purchased approximately 7 grams of suspected heroin for \$580. The CS relinquished the drugs to law enforcement. The CS was searched again resulting in negative results of contraband.

Tests conducted by the Wisconsin State Crime Lab revealed the suspected drug consisted of both cocaine and fentanyl.

12. On July 13, 2020, the CS met with investigators. The CS negotiated on the purchase of half an ounce of heroin for \$1,080 with BURNETT. The CS was searched resulting in negative results of contraband. Later, a black two-door Nissan arrived and the CS got into the car. The meeting occurred in the alleyway running east/west between N. 32nd Street and N. 31st Street, just to the north of W. Mount Vernon Street in Milwaukee, WI. Moments later, the CS exited and met with law enforcement. The CS advised that he/she purchased half an ounce of suspected heroin for \$1,080. The CS relinquished the drugs to law enforcement. The CS was searched again resulting in negative results of contraband. The suspected heroin was field tested with a positive presence of opiates.

13. On July 30, 2020, the CS met with investigators. The CS negotiated on the purchase of one ounce of heroin for \$2,300 with BURNETT. The CS was searched resulting in negative results of contraband. Later, a black two-door Nissan arrived and the CS got into the car. The meeting occurred in the alleyway running east/west between N. 32nd Street and N. 31st Street, just to the north of W. Mount Vernon Street in Milwaukee, WI. Moments later, the CS exited and met with law enforcement. The CS advised that he/she purchased an ounce of suspected heroin for \$2,300. The CS relinquished a clear plastic bag containing an off-white rock like substance, believed to be heroin to law enforcement. The CS was searched again resulting in negative results of contraband. The suspected heroin was field tested with a positive presence of heroin.

14. On August 20, 2020, DCI and DEA investigators learned that Jaivon BURNETT was arrested by the Milwaukee Police Department for Possess w/Intent - Cocaine (>1-5g) & Maintain Drug Trafficking Place. BURNETT was driving a black colored Nissan Altima coupe

and was in possession of a box of sandwich bags, a digital scale, an Apple iPhone, a flip Kyocera cell phone, a second flip Kyocera cell phone, approximately 1.4 grams of suspected crack cocaine and \$1,136 in US currency.

15. On September 17, 2020, the CS met with investigators. The CS negotiated on the purchase of two ounces of heroin and a sample of crack cocaine for \$4,500 with BURNETT. The CS was searched resulting in negative results of contraband. Later, a gray Toyota Camry arrived and the CS got into the car. The meeting occurred in the alleyway running east/west between N. 32nd Street and N. 31st Street, just to the north of W. Mount Vernon Street in Milwaukee, WI. Moments later, the CS exited and met with law enforcement. The CS advised that he/she purchased two ounces of suspected heroin and a sample of crack cocaine for \$4,500. The CS relinquished a gray chunk-like substance and white chunk-like substance believed to be heroin and a white chunk like substance suspected cocaine base to law enforcement. The CS was searched again resulting in negative results of contraband. The suspected heroin was field tested with a positive presence of opiates. The suspected cocaine base substance was field tested with a positive presence of cocaine.

16. On November 3, 2020, the CS met with investigators. The CS negotiated on the purchase of 10.5 grams of crack cocaine and a handgun for \$1,050 with BURNETT. The CS was searched resulting in negative results of contraband or a firearm. Later, a silver colored Buick Century arrived and the CS got into the car. The meeting occurred in the alleyway running east/west between N. 32nd Street and N. 31st Street, just to the north of W. Mount Vernon Street in Milwaukee, WI. Moments later, the CS exited and met with law enforcement. The CS relinquished a clear plastic bag containing an off-white rock-like substance believed to be crack cocaine, a Hi Point .45 semiautomatic pistol, and a pill bottle containing bullets. The CS was searched again resulting in negative results of contraband. The suspected crack cocaine was field

tested with a positive presence of cocaine. The CS relinquished a white powdery substance to law enforcement. The CS was searched again resulting in negative results of contraband. The suspected cocaine was field tested with a positive presence of cocaine.

17. On March 3, 2021, the CS met with investigators. The CS negotiated on the purchase of 8 grams of cocaine for \$700 with BURNETT. The CS was searched resulting in negative results of contraband. The CS walked to the corner of N. 89th Street and W. Mill Road and met with an unknown male on the sidewalk (near 5365 N. 89th Street in Milwaukee, WI). Moments later after the deal, the CS walked and met with law enforcement. The CS advised that he/she purchased approximately 8 grams of suspected cocaine for \$700. The unknown male identified himself as "Cheddar," who is BURNETT's brother. The CS was searched again resulting in negative results of contraband. The suspected cocaine was field tested with a positive presence of cocaine.

18. Most of the above-referenced controlled purchases occurred in the alleyway running east/west between N. 32nd Street and N. 31st Street and bordering W. Mt Vernon Avenue and W. Park Hill Avenue in Milwaukee, WI. This location is within 1000 feet of Merrill Park. Merrill Park, which is located at 222 N. 33rd Street in Milwaukee, WI, is a low-income Senior and Disabled Housing Community operated by the City of Milwaukee's Housing Authority. All controlled purchases, with the exception of the June 24, 2020 controlled purchase, were audio and video recorded.

19. On June 7, 2021, the CS met with investigators. During several recorded calls, the CS arranged to purchase 2 ounces of heroin from BURNETT. On this occasion, however, law enforcement intended to arrest BURNETT. On June 7, 2021, while driving a white Chevy Malibu with tinted windows and temporary tags, BURNETT arrived in the alleyway running east/west

between N. 32nd Street and N. 31st Street, just to the north of W. Mount Vernon Street in Milwaukee, WI. Once confronted by law enforcement, BURNETT fled the scene in his vehicle and caused damage to a DCI vehicle. Milwaukee Police Department officers subsequently found the white Chevy Malibu with its engine running and its lights on parked in an alleyway on W. McKinley Blvd. between 33rd and 34th Streets. Soon thereafter, BURNETT was spotted looking back at the Chevy Malibu as he walked westbound toward 33rd Street. Law enforcement subsequently arrested BURNETT. Incident to his arrest, law enforcement found a Chevy Malibu key, a large amount of U.S. currency, and two cellular phones on his person. The number for one of the cellular phones was the same number the CS called when arranging drug purchases from BURNETT.

CONCLUSION

20. Based on the above information, I submit that there is probable cause to believe that Jaivon BURNETT (DOB: XX/XX/1999) possessed with intent to distribute and distributed controlled substances within 1,000 feet of the real property comprising a housing facility owned by a public housing authority, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and 860; and carried a firearm during and relation to a drug trafficking crime, in violation of Title 18, United States Code, Section 924(c)(1).